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Attorneys for Plaintiff  
10 UNITED STATES OF AMERICA

11 UNITED STATES DISTRICT COURT

12 FOR THE CENTRAL DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA,

CR No. 15-401(A)-R

14 Plaintiff,

ORDER DENYING MOTION FOR NEW TRIAL

15 v.

16 ROBERTO MARTINEZ,

17 Defendant.  
18

19 Having considered the moving and opposition papers, exhibits  
20 attached thereto, including the trial transcript, and the arguments  
21 of counsel at the December 17, 2015 hearing, the Court hereby DENIES  
22 defendant's motion for new trial (Dkt. No. 138). The Court finds  
23 that the interests of justice do not require a new trial and that  
24 this is not an exceptional case in which the evidence preponderates  
25 highly against the jury's verdict. The Court DENIES defendant's  
26 motion based upon the specific findings made and reasons provided by

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1 the Court on the record at the December 17, 2015 hearing,<sup>1</sup> and upon  
2 the government's opposition to the motion for new trial.

3 IT IS SO ORDERED.



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6 Date: December 23, 2015

HONORABLE MANUEL L. REAL  
UNITED STATES DISTRICT JUDGE

7  
8 Presented by:

9 \_\_\_\_\_ /s/ \_\_\_\_\_  
10 JULIUS J. NAM  
11 Assistant United States Attorney  
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25 <sup>1</sup> At the December 17, 2015 hearing, the Court indicated that the  
26 defense did not call any witnesses in support of its cause. The  
27 defense, in fact, called three law enforcement witnesses from the  
28 government's witness list, but rested without calling any additional  
witnesses. The Court finds that the evidence presented by the  
defense in its case-in-chief and proffered in its motion for new  
trial does not preponderate heavily against the verdict.